

**THE GOVERNMENT’S RESPONSES TO DANSKE BANK’S OBJECTIONS TO THE GOVERNMENT’S  
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS<sup>1</sup>**

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
1	Produce any and all documents concerning your interest in the DCSL resort, including, but not limited to, any documents in which you indicated your ownership of the DCSL resort (e.g., any financial disclosure forms whether audited or unaudited), shareholder reports or tax returns); any documents concerning your payment of any taxes or other expenses for the loan associated with the DCSL resort; and any documents reflecting any losses claimed for the loan associated with the DCSL resort.	DANSKE_0010532- DANSKE_0015312  Motion for Summary Judgment Exhibits 37-39	October 2019  June 2020	Danske objects to this Request as overbroad, vague and ambiguous, unduly burdensome, unreasonable in terms of time period, and seeks information which is not relevant, nor reasonably calculated to lead to the discovery of admissible evidence.  Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce any of the other documents called for in this Request.	To prove its bona fide purchaser (“BFP”) status, Danske must demonstrate its legal interest. Danske failed to provide documents with respect to the specific amounts it paid for the DCSL loan, which was pooled with numerous other commercial loans.  In addition, boilerplate objections are not permissible.
2	Produce any and all documents concerning the acquisition of your interest in the DCSL resort from Lehman and/or Lehman Bankruptcy estate, including, but not limited to, documents concerning (a) the date when you purchased the DCSL resort loan from Lehman and/or Lehman Bankruptcy estate;	DANSKE_0012223 DANSKE_0013057 DANSKE_0012726 DANSKE_0014107 DANSKE_0015762 DANSKE_0015762 DANSKE_0015780 DANSKE_0015784	October 2019  June 2020	Danske objects to this Request as overbroad, unduly burdensome and seeks publicly available documents.  Without waiving its objections, Danske refers the government to its previous production and will produce the following additional	To prove its BFP status, Danske must demonstrate its legal interest.  Danske, not the government, has the burden of proving Danske’s claim, and, therefore, Danske must produce the proof to support its claim.

<sup>1</sup> The government’s responses are addressed more fully in the accompanying letter reply.

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	(b) the amount of consideration, if any, that you provided to purchase the DCSL resort loan from Lehman and/or the Lehman Bankruptcy estate; (c) the value attributed to the DCSL resort loan in your settlement with Lehman and/or the Lehman Bankruptcy estate during the Lehman Bankruptcy; and (d) the transaction documents, under the Repo Agreement or otherwise, evidencing (i) the purchase price for the purchase of the DCSL resort loan and (ii) the terms of Lehman's repurchase of the DCSL resort loan.	Motion for Summary Judgment Exhibits 37-39		document: a 2009 Jones Lang LaSalle valuation report regarding the Resort Property.	Danske failed to provide documents with respect to the specific amounts attributed to the DCSL loan and the value attributed to the DCSL loan. All appraisals are relevant to the value assigned to the DCSL resort.  In addition, boilerplate objections are not permissible.
3	Produce any and all documents, including continuation statements, evidencing Danske's claimed "secured interests in shares" in (a): Baja Ventures 2006, LLC; (b) Diamante Properties, LLC; (c) CSL Properties 2006 LLC; and (d) KAJ Holdings, LLC.	DANSKE_0013220 DANSKE_0015269 DANSKE_0013228 DANSKE_0011928 DANSKE_0015011 DANSKE_0015059 DANSKE_0014904 DANSKE_0014952 DANSKE_0013331 DANSKE_0014538 DANSKE_0014861 DANSKE_0014866 DANSKE_0015010 DANSKE_0015119 DANSKE_0015120	October 2019  June 2020	Danske objects to this Request as overbroad, vague and ambiguous, unduly burdensome, unreasonable in terms of time period, and seeks information which is not relevant, nor reasonably calculated to lead to the discovery of admissible evidence.  Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: UCC financing statements, if any, that may be	If Danske produces the UCC financing statements in a timely manner, this will respond to the government's request.  In addition, boilerplate objections are not permissible.

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		DANSKE_0015126 DANSKE_0015177  Motion for Summary Judgment Exhibit 70		responsive to this Request.	
4	Produce all documents evidencing Danske's claimed "perfected senior secured interest" in: (a) Diamante Cabo San Lucas, LLC; and (b) PF Ventures, LLC.	DANSKE_0015269 DANSKE_0013228 DANSKE_0010945 DANSKE_0012720 DANSKE_0015243 DANSKE_0015263 DANSKE_0014244 DANSKE_0012796 DANSKE_0010724 Motion for Summary Judgment Exhibits 6, 7, 70	October 2019 June 2020	Danske objects to this Request as overbroad and unduly burdensome and may seek documents that are subject to attorney client privilege, work product protection, or other applicable privileges. <sup>2</sup>  Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: UCC financing statements, if any, that may be responsive to this Request.	If Danske produces the UCC financing statements in a timely manner, this will respond to the government's request.  In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.
5	Produce all copies of Danske's Uniform Commercial Code ("UCC" filings for any claimed interest in: (a) the DCSL resort; (b) Baja Ventures 2006, LLC; (c) Diamante Properties, LLC; (d) CSL Properties 2006 LLC; (e) KAJ Holdings, LLC; (f) Diamante Cabo San Lucas, LLC; and (g) PF Ventures, LLC.	DANSKE_0013220 DANSKE_0015269 DANSKE_0013228 DANSKE_0011928 DANSKE_0015263 DANSKE_0012726 DANSKE_0010532 DANSKE_0012138 Motion for Summary Judgment	October 2019 June 2020	Danske objects to this Request as duplicative of Request No. 4.  Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: UCC financing statements, if any, that may be	If Danske produces the UCC financing statements in a timely manner, this will satisfy the government's request.

<sup>2</sup> The Government requests that Danske provide a privilege log for all objections based on privilege.

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		Exhibits 12, 13, 14, 78		responsive to this Request.	
6	Produce any and all documents or communications made at any time between you and any other person, including, but not limited to, Jowdy, concerning the purchase and acquisition of the DCSL resort loan from Lehman.	DANSKE_0015742 DANSKE_0015762 DANSKE_0015780 DANSKE_0015784	October 2019	Danske objects to this Request as overbroad and unduly burdensome, seeks irrelevant information, and to the extent it seeks information subject to the attorney client privilege and work product protection or any other applicable privilege. Based on its objections, Danske will not produce the documents called for in the Request.	To prove its BFP status, Danske must demonstrate its legal interest. Danske failed to provide documents with respect to the specific amounts it paid for the DCSL loan, which was pooled with numerous other commercial loans.  In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.
7	Produce any and all appraisals or valuations of the DCSL resort loan, including, but not limited to, all appraisals or valuations conducted during the course of the Lehman Bankruptcy by CB Richard Ellis and Clayton IPS, and all documentation used to prepare such appraisals or valuations.			Danske objects to this Request as overbroad and unduly burdensome, vague and ambiguous and seeks documents that are not relevant nor likely to lead to relevant evidence.  Without waiving its objections, Danske will produce the following document: a valuation completed by Jones Lang LaSalle during the Lehman bankruptcy process.	To prove its BFP status, Danske must demonstrate the value attributed to the DCSL loan, which was pooled with numerous other commercial loans.  Danske is in possession of and should produce all appraisals exchanged during the bankruptcy proceedings.

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					In addition, boilerplate objections are not permissible.
8	Produce any and all appraisals or valuations of the DCSL resort, including, but not limited to, all appraisals or valuations conducted during the course of the Lehman Bankruptcy by CB Richard Ellis and Clayton IPS, and all yearly appraisals or valuations conducted by Danske for the years 2009 to the present, inclusive, and all documentation used to prepare such appraisals or valuations.			<p>Danske objects to this Request as overbroad and unduly burdensome, and seeks documents that are not relevant nor likely to lead to relevant evidence.</p> <p>Danske previously provided the government with copies of appraisals it had completed by Jones Lang LaSalle and Bruce Greenberg.</p> <p>Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: a valuation completed by Jones Lang LaSalle during the Lehman bankruptcy process.</p>	Same as above.
9	Produce all emails and correspondence between Danske and Lehman with regard to the valuation of the commercial loans under the MRA.	<p>DANSKE_0015740</p> <p>Motion for Summary Judgment Exhibits 38, 39</p>	<p>April 2020</p> <p>June 2020</p>	<p>Danske objects to this Request as overly broad and unduly burdensome, vague and ambiguous, and seeks documents subject to the attorney client privilege, work product, or any other applicable privilege. Based on its objections, Danske will not produce the documents</p>	<p>To prove its BFP status, Danske must demonstrate its legal interest and that it paid value. Danske failed to provide documents with respect to the specific amounts attributed to the DCSL loan, which was pooled with numerous other commercial loans.</p>

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				called for in the Request.	In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.
10	Produce unredacted, fully executed copies of the MRA and Repo Agreements between Danske and Lehman with all corresponding exhibits.	DANSKE_0015740	April 2020	Danske objects to this Request as over broad and unduly burdensome and seeks information that is not relevant.  Without waiving its objections, Danske refers the government to its previous production and will produce any additional documents, if any, in Danske's possession.	If Danske produces additional documents in a timely manner, this will respond to the government's request.  In addition, boilerplate objections are not permissible.
11	Produce any and all documents evidencing the MRA or the amendments in which the Lehman loan to the DCSL resort is included.	DANSKE_0015740 DANSKE_0015981 Motion for Summary Judgment Exhibits 26, 28, 29	April 2020  June 2020	Danske objects to this Request as over broad and unduly burdensome and seeks information that is not relevant.  Without waiving its objections, Danske refers the government to its previous productions and will produce any additional documents, if any, in Danske's possession.	If Danske produces additional documents in a timely manner, this will respond to the government's request.  In addition, boilerplate objections are not permissible.
12	Produce the assignment agreement	DANSKE_0012223	October 2019	Danske objects to this Request as it	The government has a received

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	from February 2009 between Danske and Lehman.			seeks material that does not exist or otherwise assumes facts that are incorrect as the assignment	copy of the January 2009 assignment agreement.
13	Produce any and all Repo confirmation statements between Danske and Lehman.	DANSKE_0015981	June 2020	<p>Danske objects to this Request as overly broad and unduly burdensome, and vague and ambiguous.</p> <p>Without waiving its objections, Danske refers the government to its previous production and based on its objections, will not produce any of the other documents called for in the Request.</p>	<p>To prove its BFP status, Danske must demonstrate its legal interest and that it paid value. Danske failed to provide documents with respect to the specific amounts attributed to the DCSL loan, which was pooled with numerous other commercial loans.</p> <p>In addition, boilerplate objections are not permissible.</p>
14	Produce any and all documents that supported Danske's proof of claim filed in the Lehman Bankruptcy.	<p>DANSKE_0015981</p> <p>Motion for Summary Judgment Exhibit 96</p>	June 2020	<p>Danske objects to this Request as overly broad and unduly burdensome, and seeks production of documents that may be subject to the attorney client privilege, work product, or any other applicable privilege.</p> <p>Without waiving its objections, Danske refers the government to its previous productions and based on its objections, will not produce any of the other documents called for in the Request.</p>	<p>To prove its BFP status, Danske must demonstrate its legal interest and that it paid value. Danske fails to provide documents (i) supporting the face amount of its alleged claim; (ii) with respect to the amounts attributed to the DCSL loan; and (iii) concerning its contested claim process in the Lehman bankruptcy case, including competing appraisals, and other information with respect to the settlement of its claim which was reduced pursuant to the claim adjudication process in the</p>



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					<p>bankruptcy.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.</p>
15	Produce any and all documents that established Danske's reduced proof of claim in the amount of \$580 million in the Lehman Bankruptcy proceedings.	Motion for Summary Judgment Exhibits 37-39	June 2020	<p>Danske objects to this Request as overly broad and unduly burdensome, vague and ambiguous, and seeks production of documents subject to the attorney client privilege, work product, or any other applicable privilege.</p> <p>Without waiving its objections, Danske refers the government to its previous productions and based on its objections, will not produce any of the other documents called for in the Request.</p>	Same as above.
16	Produce any and all documents that established the consideration to transfer Danske's \$580 million claim in the Lehman Bankruptcy to Goldman Sachs.			Danske objects to this Request as overly broad and unduly burdensome, vague and ambiguous, seeks documents that are of no relevance, and seeks	<p>To prove its BFP status, Danske must demonstrate its legal interest and that it paid value. Danske failed to provide documents with respect to the</p>



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				<p>production of documents subject to the attorney client privilege, work product, or any other applicable privilege.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>specific amounts attributed to the DCSL loan, which was pooled with numerous other commercial loans.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.</p>
17	Produce (a) any and all servicing agreements with Trimont Real Estate Advisors, Inc., Michael Devlin, and any other third-party utilized by Danske or the Borrower to provide services regarding the DCSL resort loan; and (b) any and all correspondence, reports and documents prepared according to such servicing agreements, including, but not limited to, those identified in Document Requests 18, 19, 20, and 27.	DB000001- DB00774	June 2015	<p>Danske objects to this Request as it seeks documents that are not in Danske's custody, control, or possession, is overly broad and unduly burdensome, seeks production of documents subject to the attorney client privilege, work product, or any other applicable privilege, and seeks documents of no relevance.</p> <p>Without waiving its objections, Danske refers the government to its previous production and will produce the following additional document: the servicing agreement with Trimont.</p>	<p>This document request is necessary to establish that Danske was a BFP and acting in good faith.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.</p>

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18	Provide all required construction documents identified in the Loan Agreements under Article VIII, Section 8.1, Replacement Facility C - Required Construction Documents, and under Article IX, Section 9.2, Construction Budget-Replacement Facility C, for each disbursement and/or loan advance from Facility C.			Danske objects to this Request as overly broad and unduly burdensome and seeks documents of no relevance.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
19	Provide all reports furnished by the Borrower to Danske pursuant to the Loan Agreements, Section 13.5, Reporting Covenants, including, but not limited to: Section 13.5(a), Weekly Reports; Section 13.5(b), Monthly Reports; Section 13.5(c), Quarterly Reports; and Section 13.5(d), Annual Reports.			Danske objects to Request No. 19 as overly broad and unduly burdensome, and seeks documents of no relevance.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
20	Produce any and all status reports created, authored, and/or produced by Michael Devlin.	DB000001- DB00774	June 2015	Danske objects to Request No. 20 as overly broad and unduly burdensome, and seeks documents of no relevance.  Without waiving its objections, Danske refers the government to its previous production and based on its objections, Danske will not produce the documents called for in the Request.	Same as above.

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21	Produce any and all documents showing the amount and calculation of Danske's claimed default interest.			<p>Danske objects to this Request as overly broad and unduly burdensome, and seeks documents that may be subject to the attorney client privilege, work product, or any other applicable privilege.</p> <p>Without waiving its objections, Danske refers the government to its previous production and based on its objections, will not produce any of the other documents called for in the Request.</p>	<p>Danske failed to provide documents supporting the face amount of its alleged claim.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.</p>
22	Produce any and all documents showing the calculation and valuation for Danske's claimed profit participation fee under the Loan Agreements.	DANSKE_0015590	March 2020	<p>Danske objects to this Request as overly broad and unduly burdensome, and seeks documents that may be subject to the attorney client privilege, work product, or any other applicable privilege.</p> <p>Without waiving its objections, Danske refers the government to its previous production and based on its objections, will not produce any of the other documents called for in the Request.</p>	<p>Danske failed to provide documents supporting the face amount of its alleged claim.</p> <p>Danske claims that the profit participation fee is calculated based on a formula, but has failed to provide any documentation to demonstrate how it calculated the claimed amount.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney</p>

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					client privilege, it must produce a privilege log.
23	Provide a complete set of statements for each sub-account set up by Danske related to each loan facility, including, but not limited to, the following accounts:	DANSKE_0015957 DANSKE_0015958 DANSKE_0015972 DANSKE_0015973 DANSKE_0015974 DANSKE_0015975 DANSKE_0015976 DANSKE_0015977 DANSKE_0015978	June 2020	Danske objects to this Request as overly broad and unduly burdensome.  Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: statements for the Interest Reserve, Ocean Club Reserve, Commission Reserve, and Ocean Club Reserve to the extent such statements exist. Danske will not produce additional documents responsive to this Request.	Danske failed to provide documents supporting the face amount of its alleged claim and to demonstrate that it loaned the money it claims to have loaned.  In addition, boilerplate objections are not permissible.
24	Provide support for the \$900,000 transfer from Facility C on October 10, 2018.	DANSKE_0015549	March 2020	Danske refers the government to its previous production and will produce any wire transfer confirmation, if any, that is responsive to this Request.	Same as above.

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25	Provide wire transfer documentation to support the transfers from Trimont to the Borrower for the 45 loan advance wire transfers, totaling \$53,476,556, from Facility C to Trimont Real Estate Advisors Inc. (Wells Fargo Bank Account — Account Number 2000025192043).			Danske objects to this Request as overbroad, unduly burdensome and irrelevant.  Based on its objections, Danske will not produce documents responsive to this Request.	Danske failed to provide documents supporting the face amount of its alleged claim. The records that have been produced to date indicate that these funds were wired from Danske to Trimont, but fail to show that Trimont forwarded the funds to DCSL.  In addition, boilerplate objections are not permissible.
26	Provide bank statements for other bank accounts identified that funds from Facility A, B and C may have been indirectly transferred to, including, but not limited to, the following accounts:			Danske objects to this Request as over broad, unduly burdensome, and irrelevant and seeks documents not Danske's control, custody or possession.  Based on its objections, Danske will not produce the documents called for in the Request.	Danske failed provide records demonstrating the ultimate recipient of numerous wire transfers. Production of the bank account statement will assist in determining whether those funds were received by DCSL..  In addition, boilerplate objections are not permissible.
27	Provide all Trimont summary statements, account statements, and invoices identified as 'Missing' below:	DANSKE_0015502 DANSKE_0015670 DANSKE_0015515 DANSKE_0015604 DANSKE_0015673	March 2020	Danske objects to Request No. 27 on the ground that it is over broad, unduly burdensome, and irrelevant and seeks documents not in Danske's custody, control or possession.  Without waiving its objections, Danske refers the government to	Same as above.

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				its previous production and will produce the following additional documents: Danske will produce statements and invoices responsive to this request to the extent that Danske has possession of such documents.	
28	For each disbursement and/or loan advance from Facilities A, B, C, and D, including, but not limited to, the transactions in the table below, provide complete draw request packages, containing all documents identified in Section 11.1, Documents to be Furnished for Each Disbursement, of the loan agreements as a condition precedent to the disbursement of funds from the loan facilities.			<p>Danske objects to this Request as over broad, unduly burdensome, and irrelevant.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>This document request is necessary to establish that Danske was a BFP and acting in good faith.</p> <p>In addition, boilerplate objections are not permissible.</p>
29	Produce any and all documentation identifying the procedures, policies, and practices of Danske, and its officers, employees or owners, for receiving, soliciting, preparing, reviewing, approving or denying loans or client relationships.			<p>Danske objects to this Request as over broad, unduly burdensome, and irrelevant.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>This document request is necessary to establish that Danske was a BFP and acting in good faith and was without cause to believe the property was subject to forfeiture.</p> <p>In addition, boilerplate objections are not permissible.</p>

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30	Produce any and all documentation identifying the procedures, policies, and practices of Danske, and its officers, employees or owners, for inquiring into an investment's connection to actual or potential criminal activity and/or misconduct, and/or actual or potential mismanagement.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
31	Produce any and all notes, correspondence, and documentation pertaining to Danske's inquiry into the involvement or connection to actual or potential criminal activity and/or misconduct, and/or actual or potential mismanagement by the Defendants, Jowdy, and/or the DCSL resort.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
32	Produce any and all notes, correspondence, and documentation pertaining to media inquiries to Danske and/or its employees about the involvement or connection to actual or potential criminal activity and/or misconduct, and/or actual or potential mismanagement by the Defendants, Jowdy, and/or the DCSL resort, including support for Peter Hughes of Danske's statement to			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.



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	Fortune magazine in 2012 that “If there had been mismanagement, I think it would have turned up in the due diligence we’ve conducted on the project over the past three years . . .we found no evidence that Jowdy was stealing money, and we’re satisfied with the job he’s doing.”				
33	Produce any and all documents or information available to or within the knowledge of Danske and and/or any such company’s officers, employees, owners, concerning the conduct or assets of Jowdy, his associates, relatives, representatives, and related entities.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
34	Produce any and all documents pertaining to any agreements and guarantees between Danske and any and all Jowdy related entities, including, but not limited to, Legacy Cabo, LLC, Legacy Properties, LLC, KAJ Holdings LLC and Silverpeak.	DANSKE_0012837 DANSKE_0014820 DANSKE_0013266 DANSKE_0011598 DANSKE_0011624 DANSKE_0013728 DANSKE_0013769 DANSKE_0014736 DANSKE_0013257 DANSKE_0013301 DANSKE_0011572 DANSKE_0011585 DANSKE_0011598	October 2019	Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce any of the other documents called for in the Request.	Same as above.

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		DANSKE_0011611 DANSKE_0011637 DANSKE_0011665 DANSKE_0011741 DANSKE_0011768 DANSKE_0011786 DANSKE_0012818 DANSKE_0013616 DANSKE_0013728 DANSKE_0012931 DANSKE_0012784 DANSKE_0012807			
35	Produce the Bylaws and Operating Agreement for DCSL Mexico and any documents confirming the change of trustee in or about 2014, all translated into English.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	Danske's failed to provide documents supporting its legal interest and BFP status with regard to the original loan from Lehman.  In addition, boilerplate objections are not permissible.
36	Produce any and all notices of default of the DCSL resort loan, and any and all documentation that notices of default were sent to the Borrower and/or Trustee of the Mexican trust.	DANSKE_0015713	April 2020	Danske objects to Request No. 36 that it is over broad, unduly burdensome, and irrelevant.  Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce any of the other documents called	Danske failed to provide documents to support its right to default interest and whether it properly declared a default.  In addition, boilerplate objections are not permissible.

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				for in the Request.	
37	Produce the most recent financial information for DCSL Mexico, including financial statements and tax returns.			<p>Danske objects to this Request as over broad, unduly burdensome, and irrelevant.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>These documents are relevant as to the value of Danske's alleged claim and, specifically, whether Danske's alleged claim (if legitimate and supported) is fully secured by the DCSL property.</p> <p>These documents also support whether Danske has BFP status as it continued to loan additional funds to DCSL.</p> <p>In addition, boilerplate objections are not permissible.</p>
38	Produce the fully executed 2009 Loan Agreement between Danske and DCSL Mexico.	DANSKE_0013865	10/19/2019	<p>Danske objects to this Request as vague and ambiguous.</p> <p>Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce any of the other documents called for in the Request.</p>	The Government has received the 2009 loan agreement.
39	Produce the executed copies of any termination agreements between Danske and DCSL Mexico.			<p>Danske objects to this Request as vague and ambiguous.</p> <p>Danske is not aware of any termination agreements between Danske and DCSL Mexico.</p>	This document request is necessary to establish that Danske was a BFP and acting in good faith and was without cause to believe the property was

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					subject to forfeiture.  In addition, boilerplate objections are not permissible.
40	Produce any and all documentation regarding the due diligence performed by Danske regarding the (a) acquisition of the DCSL resort loan; and (b) entering into loan agreements and/or modifications with the Borrower, including deliverables, obligations, and the satisfaction of conditions by DCSL Mexico as required under all extensions, modifications, facility increases, advances and amendments to the Loan Documents.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	This document request is necessary to establish that Danske has a valid legal interest and was a BFP, acting in good faith, and was without cause to believe the property was subject to forfeiture.  In addition, boilerplate objections are not permissible.
41	Identify any and all Danske and/or Lehman employees, past or present, who currently hold or have held an interest, directly or indirectly, in the DCSL resort.			Danske objects to this Request as over broad, unduly burdensome, irrelevant, vague and ambiguous.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.
42	Produce any and all documentation concerning any and all direct or indirect interests in the DCSL resort,			Danske objects to this Request as over broad, unduly burdensome, irrelevant, vague and ambiguous,	Same as above.

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	current or prior, held by past or present employee(s) of Danske and/or Lehman.			and duplicative of Request No. 41.  Based on its objections, Danske will not produce the documents called for in the Request.	
43	Produce any and all documents and correspondence pertaining to Danske's: (a) knowledge of accusations by any individuals or entities concerning theft or misconduct by the Defendants, Jowdy, and/or the DCSL resort, including, but not limited to, accusations contained in civil complaints filed by Joe Juneau, Owen Nolan, Philip Kenner, Ethan Moreau, Sergei Gonchar, Glenn Murray, Little Isle IV, and Josef Stumpel; and (b) response(s) to such accusations.			Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Based on its objections, Danske will not produce the documents called for in the Request.	This document request is necessary to establish that Danske was a BFP and acting in good faith and was without cause to believe the property was subject to forfeiture.  In addition, boilerplate objections are not permissible.
44	Identify: (a) any and all Danske employees or contractors who visited the DCSL resort; (b) the date(s) of any visit; (c) the purpose of the visit(s); (d) the lodging used by the employee(s)/contractor(s) during the visit(s); (d) any gifts or benefits conferred, directly or indirectly, on a Danske employee/contractor by			Danske objects to this Request as over broad, unduly burdensome, irrelevant, and vague and ambiguous.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.

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	Jowdy and/or any employee or contractor of the DCSL resort; and (e) any gifts or benefits conferred, directly or indirectly, on Jowdy and/or any employee or contractor of the DCSL resort by a Danske employee/contractor.				
45	Produce any and all correspondence between Danske and the Defendants.			<p>Danske objects to this Request as over broad, unduly burdensome, and irrelevant.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>This document request is necessary to establish that Danske has a valid legal interest and was a BFP, acting in good faith, and was without cause to believe the property was subject to forfeiture.</p> <p>In addition, boilerplate objections are not permissible.</p>
46	Produce any and all documentation, or correspondence between Danske and the Borrower and/or Jowdy, regarding the Borrower's ability or inability to meet its loan obligations to Danske and/or Lehman.			<p>Danske objects to this Request as over broad, unduly burdensome, irrelevant, and duplicative of Request No. 36.</p> <p>Based on its objections, Danske will not produce the documents called for in the Request.</p>	<p>This document request is necessary to establish that Danske was a BFP and acting in good faith and was without cause to believe the property was subject to forfeiture.</p> <p>In addition, boilerplate objections are not permissible.</p>
47	Produce any and all documentation and agreements regarding, and			Danske objects to this Request as over broad, unduly burdensome,	Same as above.

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
	correspondence between, Danske and Jowdy, the Borrower, and/or the Trustee, regarding the potential or actual forfeiture of the DCSL resort.			irrelevant, and purportedly seeks documents which potentially are covered by the attorney-client privilege, attorney work product privilege, and/or any other applicable privilege.  Based on its objections, Danske will not produce the documents called for in the Request.	In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.
48	Produce any and all documentation and agreements (whether in draft or executed), and correspondence between, Danske and Jowdy and/or the Borrower, regarding: (a) Jowdy's future ownership interest(s), direct or indirect, in the DCSL resort and/or Equity Interests; (b) any Lehman or Danske employee's future ownership interest(s), direct or indirect, in the DCSL resort and/or Equity Interests; potential purchasers of the DCSL resort and/or the DCSL resort loan; foreclosure or forfeiture on the DCSL resort loan in Mexico or in the United States; (e) bankruptcy or insolvency proceedings concerning the DCSL resort or the Equity Interests in either Mexico or the United States; and (f) Jowdy's direct			Danske objects to this Request as over broad, unduly burdensome, irrelevant, and purportedly seeks documents which are potentially covered by the attorney-client privilege, attorney work product privilege, and/or any other applicable privilege.  Based on its objections, Danske will not produce the documents called for in the Request.	Same as above.  In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.



Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
	or indirect management of the DCSL resort during and/or after the instant criminal case.				
49	Produce any and all documentation and correspondence concerning agreements between Danske and the Borrower and/or Jowdy that confer a, direct or indirect, personal or financial benefit on Jowdy.			<p>Danske objects to this Request as incorrectly assuming that such documents exist, as over broad and unduly burdensome, and vague and ambiguous.</p> <p>Danske previously provided the government with the commission agreement between Danske and Jowdy. Without waiving its objections, Danske refers the government to its previous production and based on its objections, will not produce any of the other documents called for in the Request.</p>	Same as above.
50	Produce any and all documentation regarding the miscellaneous fees claimed in your Verified Petition.			<p>Danske objects to this Request as over broad, unduly burdensome, irrelevant, and purportedly seeks documents which are potentially covered by the attorney-client privilege, attorney work product privilege, and/or any other applicable privilege.</p> <p>Without waiving its objections, Danske refers the government to</p>	<p>This document request is necessary to establish that Danske has a valid legal interest.</p> <p>In addition, boilerplate objections are not permissible.</p> <p>Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a</p>

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
				its previous production of statements and loan agreements ( <i>see</i> Response to Request Nos. 1, 27, and 54) and based on its objections will not produce any of the other documents called for in the Request.	privilege log.
51	Produce English translations for the following documents:	DANSKE_0012726 DANSKE_0014107 DANSKE_0012138 DANSKE_0010532	October 2019	Danske objects to this Request as over broad, unduly burdensome, irrelevant, and purportedly seeks documents which are potentially covered by the attorney-client privilege, attorney work product privilege, and/or any other applicable privilege.  Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce any of the other documents called for in the Request.	Same as above.
52	Produce any and all documentation and correspondence related to insurance coverage or attempted insurance coverage of the DCSL resort or DCSL resort loan, of which Danske is a policy holder or beneficiary, or otherwise has an	DANSKE_0015011 DANSKE_0015059 DANSKE_0014904 DANSKE_0014952	October 2019	Danske objects to this Request as over broad, unduly burdensome, and irrelevant.  Without waiving its objections, Danske refers the government to its previous production and based on its objections will not produce	This document request is necessary to establish that Danske has a valid legal interest and was a BFP, acting in good faith, and was without cause to believe the property was subject to forfeiture.

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
	interest therefrom.			any of the other documents called for in the Request.	In addition, boilerplate objections are not permissible.
53	Provide the historical LIBOR interest rates determined for each Facility over the life of that Facility Loan.			<p>Danske objects to this Request as irrelevant, and seeks documents which the government can obtain publicly regarding the historical LIBOR interest rate.</p> <p>Without waiving its objections, Danske will produce the following document: Danske will produce a spreadsheet in which quarterly LIBOR information is maintained from 2017 through the present.</p>	<p>This document request is necessary to establish that Danske has a valid legal interest. Danske, not the government, has the burden of proving Danske's entitlement to the claimed interest, and, therefore, Danske must produce the proof to support its claim.</p> <p>In addition, boilerplate objections are not permissible.</p>
54	Provide a full accounting of all monies due, including advances of credit, payments, and charges from the acquisition of the underlying loans under the Loan Agreements to date that were used to calculate the amount Danske is owed as indicated in its Verified Petition.	DANSKE_0015936 DANSKE_0015926 DANSKE_0015902 DANSKE_0015894 DANSKE_0015942 DANSKE_0015946 DANSKE_0015923 DANSKE_0015908 DANSKE_0015918 DANSKE_0015921 DANSKE_0015891 DANSKE_0015937 DANSKE_0015898 DANSKE_0015930	October 2019	<p>Danske objects to this Request as overly broad, unduly burdensome, and irrelevant.</p> <p>Without waiving its objections, Danske refers the government to its previous production and will produce the following additional documents: Danske will produce additional wire transfer confirmations to the extent that such documents are within its custody and control.</p>	<p>This document request is necessary to establish that Danske has a valid legal interest and was a BFP, acting in good faith.</p> <p>In addition, boilerplate objections are not permissible.</p>

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
		DANSKE_0015912 DANSKE_0015897 DANSKE_0015956 DANSKE_0015945 DANSKE_0015934 DANSKE_0015919 DANSKE_0015954 DANSKE_0015899 DANSKE_0015900 DANSKE_0015944 DANSKE_0015928 DANSKE_0015895 DANSKE_0015887 DANSKE_0015888 DANSKE_0015913 DANSKE_0015916 DANSKE_0015927 DANSKE_0015917 DANSKE_0015886 DANSKE_0015892 DANSKE_0015885 DANSKE_0015940 DANSKE_0015949 DANSKE_0015905 DANSKE_0015955 DANSKE_0015910 DANSKE_0015925 DANSKE_0015929 DANSKE_0015948 DANSKE_0015951 DANSKE_0015943			

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		DANSKE_0015939 DANSKE_0015911 DANSKE_0015907 DANSKE_0015931 DANSKE_0015901 DANSKE_0015941 DANSKE_0015938 DANSKE_0015890 DANSKE_0015906 DANSKE_0015909 DANSKE_0015884 DANSKE_0015893 DANSKE_0015947 DANSKE_0015933 DANSKE_0015924 DANSKE_0015935 DANSKE_0015915 DANSKE_0015896 DANSKE_0015932 DANSKE_0015914 DANSKE_0015950 DANSKE_0015889 DANSKE_0015952 DANSKE_0015922 DANSKE_0015920 DANSKE_0015707 DANSKE_0015953			
55	Produce any and all documentation and correspondence related to a potential or contemplated sale or			Danske objects to this Request as overly broad, unduly burdensome, and irrelevant.	This document request is necessary to establish that Danske has a valid legal interest

Request No.	Request	Bates No. of Previously Produced Documents	Production Date(s)	Objections and Responses	GOVERNMENT RESPONSES
	auction of the DCSL resort by Danske.			Based on its objections Danske will not produce the documents called for in the Request.	and was a BFP, acting in good faith, and was without cause to believe the property was subject to forfeiture.  In addition, boilerplate objections are not permissible.
56	Produce any and all documentation and correspondence related to Danske's transfers of its, actual or potential, interests in the DCSL resort.			Danske objects to this Request as overly broad, unduly burdensome, disproportionate to the needs of this case, irrelevant, and purportedly seeks documents which are covered by the attorney-client privilege, attorney work product privilege, and/or any other applicable privilege.  Based on its objections Danske will not produce the documents called for in the Request.	Same as above.  In addition, boilerplate objections are not permissible.  Further, to the extent Danske claims that responsive documents are protected by an attorney client privilege, it must produce a privilege log.